

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:10-cv-192-RJC**

STEVEN GLENN JOHNSON,)
)
)
Petitioner,)
)
v.)
)
NC DEPT OF CORRECTIONS and)
PHILLIP REDMOND, Iredell County)
Sheriff, Custodians,)
)
Respondent.)
)

ORDER

THIS MATTER comes before the Court on initial review of a Petition under 28 U.S.C. § 2241 for a Writ of Habeas Corpus. (Doc. No. 1).

Petitioner Steven Glenn Johnson (“Petitioner”) filed his habeas petition under 28 U.S.C. § 2241. (Doc. No. 1). He did not use any form and failed to plead the dates of his appeals or the grounds exhausted before those state courts. (Id.).

Rule 4 of the Rules Governing § 2254 Cases directs habeas courts to promptly examine habeas petitions. 28 U.S.C.A. foll. § 2254. Rule 1(b) allows courts to use the 2254 Rules in other habeas cases. When it plainly appears from any habeas petition and any attached exhibits that the petitioner is not entitled to relief, the reviewing court must dismiss the motion. Id.

Petitioner’s bare petition makes it difficult for the Court to make this initial inquiry. Therefore, the Court orders Petitioner to amend his petition within thirty (30) days of the date of this Order and complete this District’s standard form for a habeas petition under section 2254. Petitioner may continue to assert a claim under section 2241 if he wishes, but he still must complete the 2254 form so that the Court may fully evaluate the merits of Petitioner’s claim. Petitioner must also update his address, if needed, and provide any prisoner number he may

currently be assigned. Failure to obey this Order will result in the dismissal of this petition.

The clerk shall serve Petitioner with a copy of this Order and a copy of the Court's "Pro se Prisoner 2254 Habeas Form."

IT IS, THEREFORE, ORDERED that:

1. Petitioner must amend his habeas petition within thirty (30) days of the date of this Order and complete this District's standard form for a habeas petition under section 2254;
2. Petitioner must also update his address, if needed, and provide any prisoner number he may currently be assigned; and
3. The clerk shall serve Petitioner with a copy of this Order and the Court's "Pro se Prisoner 2254 Habeas Form."

Signed: January 18, 2012



Robert J. Conrad, Jr.
Chief United States District Judge
